

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

VINCENT PASCO, ID # 1920738,	)	
	)	
Petitioner,	)	
	)	
VS.	)	CIVIL ACTION NO.
	)	
DIRECTOR, Texas Department of	)	3:19-CV-1237-G-BH
Criminal Justice, Correctional Institutions	)	
Division,	)	
	)	
Respondent.	)	

**ORDER OF THE COURT ON RECOMMENDATION REGARDING  
REQUEST TO PROCEED *IN FORMA PAUPERIS* ON APPEAL**

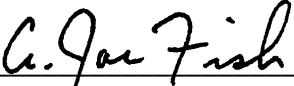
Considering the record in this case and the recommendation of the of the United States Magistrate Judge, the court hereby finds and orders:

- ( ) The request for leave to proceed *in forma pauperis* on appeal is GRANTED.
- (X) The request for leave to proceed *in forma pauperis* on appeal (docket entry 48) is **DENIED** because the court certifies pursuant to FED. R. APP. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith. In support of this certification, the court incorporates by reference the findings, conclusions, and recommendation filed in this case on March 28, 2022 (docket entry 38). Based on that filing, this court finds that the appeal presents no legal points of arguable merit and is therefore frivolous. The request is also denied because the petitioner has not established that he is a pauper. His certificate of inmate trust account shows that he has deposits totaling \$795.78 over the last six months, an average balance of \$1,615.76 over the last six months, and a current account balance of \$927.13, all of which reflect sufficient funds to pay the applicable filing fees on appeal.

(X) Although this court has denied leave to proceed *in forma pauperis* on appeal, the petitioner may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by FED. R. APP. P. 24(a)(4). *See* FED. R. APP. P. 24(a)(5).

**SO ORDERED.**

June 17, 2022.

  
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A. JOE FISH  
Senior United States District Judge